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10 /as

11 Attorney for Plaintiff

12 UNITED STATES DISTRICT COURT

13 NORTHERN DISTRICT OF CALIFORNIA

14 PAMELA A. PEKIPAKI,

) No. 07-04917 RS

15 Plaintiff,

16 v.

) STIPULATION AND ORDER

) [28 U.S.C. § 2412(d)]

17 MICHAEL J. ASTRUE,

18 Commissioner,

19 Social Security Administration,

20 Defendant.

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23 Plaintiff and Defendant, through their respective attorneys, hereby stipulate that subject
24 to the approval of the Court, Plaintiff's counsel, as Plaintiff's assignee, shall be awarded
25 attorney fees under the EAJA in the amount of FIVE THOUSAND DOLLARS (\$5,000.00).
26 This amount represents compensation for all legal services rendered on behalf of Plaintiff by
27 counsel in connection with this civil action, in accordance with 28 U.S.C. § 2412(d).
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1 This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA
2 attorney fees, and does not constitute an admission of liability on the part of Defendant under
3 the EAJA. Payment of \$5,000 in EAJA attorney fees shall constitute a complete release from
4 and bar to any and all claims Plaintiff may have relating to EAJA fees and costs in connection
5 with this action. Any payment shall be made payable to Plaintiff's counsel as Plaintiff's
6 assignee and delivered to Plaintiff's counsel. This award is without prejudice to the rights of
7 Plaintiff's counsel to seek Social Security Act attorney fees under 42 U.S.C. § 406, subject to
8 the offset provisions of the EAJA.

9
10 Dated: August 1, 2008

/s/

HARVEY P. SACKETT
Attorney for Plaintiff
PAMELA A. PEKIPAKI

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14 JOSEPH P. RUSSONIELLO
United States Attorney

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16 Dated: August 1, 2008

/s/

GINA SHIN
Assistant Regional Counsel

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20 IT IS SO ORDERED.

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23 Dated: September 2, 2008



HON. RICHARD SEEBORG
United States Magistrate Judge